

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA NETWORK SERVICES, INC.	DOCKET NO. SPU-03-11
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**ORDER ASSIGNING TO ADMINISTRATIVE LAW JUDGE
AND NOTICE OF HEARING**

(Issued July 16, 2003)

On July 7, 2003, Iowa Network Services, Inc. (INS), filed a request for immediate disconnection of OneStar Long Distance, Inc. (OneStar). OneStar purchases originating interstate and intrastate Centralized Equal Access services from INS to provide service to its own customers.

INS alleges that as of July 7, 2003, OneStar owes INS for billings equivalent to three and one-half months of service. It further alleges that in February 2003, OneStar entered into a payment arrangement with INS and is now in default of this payment arrangement. INS alleges that it has repeatedly requested payment from OneStar and these requests remain unanswered. INS also alleges that on July 7, 2003, it delivered a demand for immediate payment and deposit demand to OneStar and that neither the requested delinquent amount nor the requested deposit has been paid. INS provided a notice of termination to OneStar in the demand letter.

INS requests permission from the Board to disconnect OneStar pursuant to Iowa Code § 476.20 (2003) and its tariff. INS further requests the Board to issue an

expedited order confirming that INS has basis to reasonably believe that the prospect of due and punctual payment for the services of INS is impaired and that INS has provided sufficient notice of its demand for deposit and intent to disconnect access services upon nonpayment of the deposit. INS requests the Board issue an expedited order authorizing INS to discontinue access service to OneStar after July 13, 2003.

The Board finds that INS has provided sufficient information so that an immediate hearing should be set. At the hearing, INS must be prepared to provide evidence to support the information already provided. At the hearing, OneStar must be prepared to respond to the allegations and show why it should not be immediately disconnected. OneStar must also file a current list of its Iowa customers with the Board on or before the date of the hearing. The Board will assign this docket to its administrative law judge to conduct a hearing and issue a proposed decision.

The issue in this case is whether INS's request for immediate disconnection should be granted. The Board has jurisdiction of the parties and subject matter pursuant to Iowa Code chapter 476 and the Board's rules at 199 IAC 22. Conduct of the case is governed by Iowa Code Chapters 17A and 476 and by Board rules at 199 IAC Chapters 1, 7, and 22. Links to the Iowa Code and the Board rules are on the Board's website at www.state.ia.us/iub.

The parties are hereby notified that pursuant to Iowa Code § 17A.12(3), if a party fails to appear or participate in the hearing, the administrative law judge may

enter a default decision or proceed with the hearing and make a decision in the absence of the party.

IT IS THEREFORE ORDERED:

1. Docket No. SPU-03-11 is assigned to the Board's administrative law judge to conduct a hearing and issue a proposed decision.
2. A public hearing for the presentation of evidence and the cross-examination of witnesses concerning the issues identified in this notice of hearing will be held beginning at 10 a.m. on Thursday, July 24, 2003, in the Board Hearing Room, 350 Maple Street, Des Moines, Iowa. Persons with disabilities who will require assistive services or devices to observe this hearing or participate in it should contact the Board at (515) 281-5256 no later than July 22, 2003, to request that appropriate arrangements be made.
3. On or before the date of the hearing, OneStar must file a current list of its Iowa customers with the Board.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 16th day of July, 2003.